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PTO/SB/21 (08-00)

OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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GP 213 #

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/981,660
Filing Date	10/17/2001
First Named Inventor	Mitchell A. Benjamin
Group Art Unit	2131
Examiner Name	Unknown
Attorney Docket Number	44375/16:1

Total Number of Pages in This Submission

ENCLOSURES (check all that apply)

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form
<input checked="" type="checkbox"/> Fee Attached
<input type="checkbox"/> Amendment / Reply
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input checked="" type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input type="checkbox"/> Information Disclosure Statement
<input type="checkbox"/> Certified Copy of Priority Document(s)
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)
<input checked="" type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers
<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Refund
<input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input type="checkbox"/> Other Enclosure(s) (please identify below): |
|---|--|--|

Remarks

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name: Shaukat A. Karjeker, Reg. No. 34,049

Signature

Date

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

05/01/2002

Typed or printed name: Shaukat A. Karjeker

Signature

Shaukat A. Karjeker

Date

5/1/2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



COPY OF PAPERS
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PTO/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032
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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 260.00

Complete if Known

Application Number 09/981,660
Filing Date 10/17/2001
First Named Inventor Mitchell A. Benjamin
Examiner Name Unknown
Group Art Unit 2131
Attorney Docket No. 44375/16:1

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METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 19-4455
Deposit Account Name

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Code	Large Entity Fee (\$)	Small Entity Code	Small Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Total Claims -20** = X =
Independent Claims -3** = X =
Multiple Dependent =

Large Entity Code	Large Entity Fee (\$)	Small Entity Code	Small Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	-460.00
118	1,440	218	720	Extension for reply within fourth month	720.00
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 260.00

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SUBMITTED BY

Name (Print/Type)	Shaukat A. Karjeker	Registration No. (Attorney/Agent)	34,049	Complete (if applicable)	
Signature	<i>Shaukat A. Karjeker</i>	Telephone	206-386-7633	Date	5/1/2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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Washington, D.C. 20231
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Paper No. 7

SHAUKAT A. KARJEKER
C/O STOEL RIVES LLP
900 SW FIFTH AVENUE, SUITE 2600
PORTLAND OREGON 97204-1268

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APR 16 2002

**OFFICE OF PETITIONS
ON PETITION**

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In re Application of
Mitchell A. Benjamin et al
Application No. 09/981,660
Filed: October 17, 2001
Attorney Docket No. 44375/16:1

This is in response to the "Petition to Withdraw Claim of Priority," filed March 26, 2002.

The petition is dismissed as moot.

Petitioner requests that the claim to priority to nonprovisional Application No. 09/837,563 and provisional Application No. 60/198,068 be withdrawn.

Petitioner is advised that withdrawal of a reference to a claim for priority made in the first line following the title of the specification is appropriate by way of an amendment. It is noted that an amendment deleting all reference to prior-filed nonprovisional Application No. 09/837,563 and provisional Application No. 60/198,068 has been submitted concurrently with the instant petition. Accordingly, the submission of a petition to delete a reference to the prior filed applications is unnecessary and is dismissed as involving a moot issue.

Petitioner is advised that, by deleting all reference to the prior filed applications, he cannot later file a petition under 37 CFR 1.78(a)(3) and (a)(6) to accept a claim for priority to the prior-filed applications as unintentional.

Application No. 09/981,660

Page 2

It is noted that a petition under 37 CFR 1.48(b) was filed on March 26, 2002 to remove Daniel Preston and R. Pierce Lutter as inventors.

Petitioner's attention is directed to 37 CFR 1.48(f), which states:

If the correct inventor or inventors are not named on filing a nonprovisional application under § 1.53(b) without an executed oath or declaration under § 1.63 by any of the inventors, the first submission of an executed oath during the pendency of the application will act to correct the earlier identification of inventorship. See §§ 1.41(a)(4) ***.

Accordingly, since the executed declaration filed on March 26, 2002 is the first submission of an executed declaration, that declaration acts to correct the earlier identification of inventorship.

A corrected filing receipt which reflects that this application does not claim priority to any prior-filed applications and which reflects the inventors named in the declaration received March 26, 2002 accompanies this decision on petition.

Any questions concerning this decision may be directed to the undersigned at (703) 305-8680.

This application is being forwarded to the Office of Initial Patent Examination Division for pre-examination processing and for mailing of a Filing Receipt reflecting the projected publication date of the instant application.


Frances Hicks

Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

ATTACHMENT: Corrected Filing Receipt



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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Mitchell A. Benjamin et al.**

Provisional Application No. 09/981,660

Filed: October 17, 2001

For: **MULTI-SENSOR FUSION**

SUPPLEMENTAL RESPONSE TO NOTICE TO FILE MISSING PARTS

In response to a Notice of Incomplete Reply dated April 22, 2002, we hereby submit this Supplemental Response to our first Response to Notice to File Missing Parts. The April 22, 2002, Notice states (1.) that the declaration submitted was unsigned and (2.) drawings in compliance with 37 C.F.R. 1.84 must be submitted.

1. The Declaration was submitted with the first Response to Notice to File Missing Parts, on March 19, 2002. As indicated in the attached letter from the Petitions Office responding to the "Petition to Withdraw Claim of Priority", at page two, with reference to 37 C.F.R. 1.48(f), if the correct inventor or inventors are not named on filing a non-provisional application, but without executed oath or declaration, the first submission of an executed oath during the pendency of the application will act to correct the earlier identification of inventorship. Thus, our first submission of the executed oaths and declarations of four of the inventors that we filed on March 19, 2002 (copy attached), serves to remove Daniel Preston and R. Pierce Lutter as inventors and to correct inventorship. No further declarations are needed. The declarations of the four actual inventors were submitted on March 19, 2002 along with an explanation that Preston and Lutter were named in error, and were not inventors.

2. A formal set of drawings in compliance with 37 C.F.R. 1.84 is enclosed.

In view of the foregoing, Applicants' respectfully submit that the missing parts have been supplied, and that there are no outstanding issues with regard to either declarations or drawings.



Shaukat A. Karjeker
Reg. No. 34,049

Date: 5/1/2002

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Attorney Docket No. 44375/16:1



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of **Mitchell A. Benjamin et al.**

Group Art Unit: 2131

Application No. 09/981,660

Filed: October 17, 2001

For: **MULTI-SENSOR FUSION**

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TO THE COMMISSIONER FOR PATENTS:

PETITION FOR EXTENSION OF TIME UNDER 37 CFR § 1.136(a)

Applicants' attorney/agent hereby petitions that the time for response to the November 8, 2001 Notice to File Missing Parts (having a two-month January 8, 2002 due date) be extended for a period of four months to May 8, 2002. A check in the amount of \$260 (3 month extension/\$460 previously filed March 19, 2002; \$260 remaining fee for 4th month extension) is submitted.

Respectfully submitted,

By Shaukat A. Karjeker
Shaukat A. Karjeker
Registration No. 34,049

Dated: 5/1/2002

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